UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/726,777	11/30/2000	Miguel A. Delatorre	POU9-2000-0105-US1	1975

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EXAMINER
ANYA, CHARLES E

ART UNIT	PAPER NUMBER
2126	

DATE MAILED: 11/05/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	09/726,777	DELATORRE ET AL.
	Examiner	Art Unit
	Charles E Anya	2126

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3/* MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on *30 November 2000* .

2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1-19* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) *1-19* is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.

    If approved, corrected drawings are required in reply to this Office action.

12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All b) ☐ Some * c) ☐ None of:

      1. ☐ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____ .

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

    a) ☐ The translation of the foreign language provisional application has been received.

15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) *4* .

4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: .

DETAILED ACTION

Claim Rejections - 35 USC § 103

1.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1 – 6,8 – 13 and 15 – 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over applicant's admitted prior art (hereinafter referred to as APA pages 1 – 3) in view of UNIX NETWORK PROGRAMMING to Stevens (pages 102 – 105).

As to claim 1, APA teaches in an information handling system in which processes write data to and read data from a named pipe by issuing function calls to an operating system ("...write() function...read() function..." page 1 lines 15 – 28).

APA is silent with reference to having a first reader process issue a read function call to the operating system specifying the named pipe to attempt to read data from said pipe and a method of enabling the reading of data from a named pipe by a reader process while minimizing the use of system resources by having the first reader process issue an activate-on-receipt function call to the operating system specifying a new reader process to be activated upon the receipt, of data by the named pipe and then terminating if there was no data to be read from said pipe.

Stevens teaches the step of having a first reader process issue a read function call to the operating system specifying the named pipe to attempt to read data from said pipe ("...pipefd..." page 102 lines 8 – 22) and a method of enabling the reading of data from

a named pipe by a reader process while minimizing the use of system resources by having the first reader process issue an activate-on-receipt function call to the operating system specifying a new reader process to be activated upon the receipt, of data by the named pipe and then terminating if there was no data to be read from said pipe ("...no data...create...close..." pages 102 – 103). It would have been obvious to apply the teaching of Stevens to the system of APA. One would have been motivated to make such a modification in order to provide communication between processes (page 103 line 1).

As to claims 2,3,5,8,9,10 – 12,15,16,18 and 19, see the rejection of claim 1.

As to claim 4, Stevens teaches the step of the activate-on-receipt function call specifying data being passed from the first reader process to the new reader process (figure 3.5 "flow of data", lines 1 – 3).

As to claim 6, teaches the step of having the first reader process repeat the step of issuing the read function call if there was data to be read from the pipe (page 102 lines 8 – 22).

As to claim 13, see the rejection of claim 6.

As to claim 17, see the rejection of claim 4.

Claims 7 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over applicant's admitted prior art (hereinafter referred to as APA pages 1 – 3) in view of UNIX NETWORK PROGRAMMING to Stevens (pages 102 – 105) as applied to claim 1 above, and further in view of U.S. Pat. No. 5,446,894 to DeMar et al.

As to claim 7, APA and Stevens are silent with reference to the step of having the operating system activate the new reader process in response to the activate-on-receipt function call upon the receipt of data by said named pipe.

DeMar although not explicit about having the operating system activate the new reader process in response to the activate-on-receipt function call upon the receipt of data by said named pipe, DeMar does disclose the idea of putting a process to sleep by taking "...them out the execution queue..." and awakening them when there is a receipt of data to be processed, thus covering the claimed limitation (Col. 65 Ln. 1 – 67, Col. 66 Ln. 1 – 32). It would have been obvious to apply the teaching of DeMar to the system of APA as modified. One would have been motivated to make such a modification in order to load down the processor unit as little as possible (Col. 65 Ln. 18 – 25).

As to claim 14, see the rejection of claim 7.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charles E Anya whose telephone number is (703) 305-3411. The examiner can normally be reached on M-F (8:30-5:30) First Friday off. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Charles E Anya
Examiner
Art Unit 2126

cea

JOHN FOLLANSBEE
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